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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/807,826

03/24/2004

Jeffrey J. Jonas

SVL920050505US2

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45729 7590 02/27/2009

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EXAMINER

YALEW, FIKREMARIAM A

ART UNIT

PAPER NUMBER

2436

MAIL DATE

DELIVERY MODE

02/27/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/807,826	<b>Applicant(s)</b> JONAS ET AL.	
	<b>Examiner</b> Fikremariam Yalew	<b>Art Unit</b> 2436	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 January 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/30/2009 has been entered.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-7,10-22, and 25-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Denning et al(hereinafter referred as Denning) US 7,143,289 B2 in view of Kubo et al(hereinafter referred as Kubo) US Patent No 7,007168 B2.

5. As per claims 1,16: Denning discloses a method/computer readable medium for identification processing and comparison of location coordinate data in a confidential and anonymous manner comprising: receiving a plurality of fixed coordinates, represents a location of an item (See Fig 3 steps 142,144-146, Fig 6 step 614 and col 3 lines 23-27 and col 7 lines 60-67); utilizing a cryptographic algorithm to process the plurality of fixed coordinates forming a processed data(See Fig 5 steps 507,510,514, 522 and col 6 lines 17-21).

Denning does not explicitly teach comparing the encrypted fixed coordinates of the processed data to at least a portion of secondary data that comprises one or more encrypted fixed coordinates to determine whether a match exists between the encrypted fixed coordinates of the processed data and the encrypted fixed coordinates of the secondary data.

However Kubo teaches comparing the encrypted fixed coordinates of the processed data to at least a portion of secondary data that comprises one or more encrypted fixed coordinates to determine whether a match exists between the encrypted fixed coordinates of the processed data and the encrypted fixed coordinates of the secondary data (See col 10 lines 18-27,col 16 lines 39-67 and Figs18A, Fig 23 steps S 193-195)

Therefore it would have been obvious to one ordinary skill in the art at that time the invention was made to employ the teachings method of Kubo within Denning method in order to provide delivering encrypted information in a communication network using location identity and key tables.

6. As per claims 2,17: the combination of Denning and Kubo teach further comprising the step of receiving data representing the location of the item and determining the plurality of fixed coordinates that represent the location of the item prior to receiving the plurality of fixed coordinates (See Denning Fig 5 step 526, Fig 6 steps 602,614).

7. As per claims 3,18: the combination of Denning and Kubo teach the method further comprising the step of storing the processed data in a database (See Denning col 28 lines 30-48).

8. As per claims 4,19: the combination of Denning and Kubo teach the method wherein the step of comparing the processed data to at least a portion of secondary data includes the

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secondary data comprising data previously stored in a database (See Kubo col 10 lines 18-27 and Figs18A, Fig 23 steps S 193-195).

9. As per claims 5,20: the combination of Denning and Kubo teach the method further comprising the step of matching the processed data to the at least a portion of secondary data that is determined to reflect an identical one of the plurality of fixed coordinates (See Kubo col 10 lines 18-27 and Figs18A, Fig 23 steps S 193-195).

10. As per claims 6, 21: the combination of Denning and Kubo teach the method further comprising the step of issuing a signal based upon a user-defined rule (See Denning Fig 4B and Fig 9 steps 920,524).

11. As per claims 7,22: the combination of Denning and Kubo teach the method wherein the step of determining the plurality of fixed coordinates that represent the location occurs in relation to a grid (See Kubo col 19 lines 54-58).

12. As per claims 10,25: the combination of Denning and Kubo teach the method wherein the grid is a multi-dimensional grid (See Kubo col 19 lines 54-58).

13. As per claims 11,26: the combination of Denning and Kubo teach the method wherein the grid is based upon a user-defined criterion (See Denning Fig 3 steps 144-146,147 and col 6 lines 49-53).

14. As per claims 12,27: the combination of Denning and Kubo teach the method wherein the user-defined criterion corresponds with quantity (See Denning Fig 3 steps 144-146,147 and col 6 lines 49-53).

15. As per claims 13,28: the combination of Denning and Kubo teach the method wherein the user-defined criterion corresponds to time (See Kubo col 14 lines 30-40).

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16. As per claims 14,29: the combination of Denning and Kubo teach the method wherein the step of determining the plurality of fixed coordinates that represent the location includes the step of determining a nearest of the plurality of fixed coordinates (See Denning Fig steps 504,143,140 and col 7 lines 35-45).

17. As per claims 15,30: the combination of Denning and Kubo teach the method wherein the step of determining a plurality of fixed coordinates that represent the location includes the step of determining the plurality of fixed coordinates surrounding the location (See Denning Fig steps 504,143,140 and col 7 lines 35-45).

18. **Claims 8-9,23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Denning et al(hereinafter referred as Denning) US 7,143,289 B2 in view of Kubo et al(hereinafter referred as Kubo) US Patent No 7,007168 B2 and further in view of Clapper (US Pub No 2003/0108202).**

19. As per claims 8-9 and 23-24: the combination of Denning and Kubo teach claims 7, 22 as recited above. The combination of Denning and Kubo do not explicitly teach the method wherein the grid comprises a uniform grid and non-uniform grid. However Clapper discloses the method wherein the grid comprises a uniform and non-uniform grid (See 0018).Therefore it would have been obvious to one ordinary skill in the art at that time the invention was made to modify the teaching method of Clapper within Denning and Kubo method inorder to determine location.

### ***Conclusion***

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fikremariam Yalew whose telephone number is 5712723852. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-4195.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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02/23/2009  
FA

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2436